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COMMITTEE ON THE ELIMINATION OF
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Item 7 of the agenda

ADOPTION OF THE REPORT

Ghana

1. The Committee considered the combined initial and second periodic report of Ghana (CEDAW/C/GHA/1-3) at its 191st and ... meetings on 20 and .. January 1992.

2. The representative of Ghana, in introducing the report, emphasized that societal and cultural attitudes remained major obstacles to the achievement of full de facto equality between men and women. After giving an overview of the demographic and economic situation in the country and its political and legal system, the representative outlined the measures taken by Ghana to implement the Convention in the light of the situation of women in the country and of the specific culture and values.

3. Despite the progress made in de jure equality, women continued to be discriminated against because of their arduous economic and domestic duties, in a society characterized by high fertility rates, lower standards of education and health for women and a concentration of the female labour force in the informal sector. The traditional inferior status of women was reinforced by the predominance of marriages under some forms of customary law which limited women's rights. It manifested itself also at the level of decision-making, from which women were absent.

4. There had been encouraging achievements however in the legal and constitutional fields, as well as through policies, programmes and projects. The new draft constitutional amendment of Ghana currently under consideration included extensive proposals to raise the status of women in Ghana. In particular, it contained provisions guaranteeing the property rights of women in marriage and less discriminatory conditions for acquisition of citizenship through marriage. The Ghanaian national machinery for the advancement of

women, the National Council of Women in Development, had been closely associated with developing that constitutional amendment. The work of the National Council of Women in Development, which was moving from a project approach to the integration of women's concerns into the policies, plans and programmes of key sectoral ministries, was complemented by the activities of different non-governmental organizations (NGOs).

5. In commenting on the various articles, the representative of Ghana also drew the attention of members of the Committee to several governmental or non-governmental programmes and projects, such as affirmative action in the field of education, the primary health care programme targeting women and children and a range of income-generating projects particularly in rural areas. The representative also described new legislation introduced in the field of intestate succession and the registration of customary marriage and divorce. Such programmes had improved women's rights but were not adequately known and taken advantage of by women.

6. In its general comments, the Committee expressed its appreciation of the fact that Ghana had ratified the Convention without reservation and of its frank and comprehensive report giving a clear picture of the real situation of women in Ghana and of the obstacles to an improvement of their status. The efforts made by Ghana to overcome discrimination and the priority given to health, education and changing attitudes were praised, especially in the light of the difficult economic conditions faced by Ghana. Members underlined the active role of the National Council of Women in Development and welcomed its new orientation towards integrating women's concerns into macro-level policies and programmes. More information was requested on the law under which Ghana had been ruled since the suspension of the Constitution.

7. Members expressed their disappointment about the persistence of polygamy, discriminatory inheritance systems and high female illiteracy and maternal mortality. They also noted the lack of recognition and value placed on women's work in rural areas and the new threat of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic. Members would have welcomed more statistics on changes in the de facto situation of women and asked why the number of female-headed households was increasing.

8. Members acknowledged that the report had to be viewed against a background of specific cultural attitudes, which had a bearing on the situation of women in Ghana and the coexistence of different systems of laws.

9. Noting the importance of tasks still facing Ghana, members stated that the National Council of Women in Development and NGOs had an important role to play in complementing government action. They expressed concern however that the link between NGOs and the National Council of Women in Development should remain flexible and that coordination among NGOs should take into account their respective mandates. Members hoped that the World Conference on Women would serve as a target and an impetus for achieving results and wished to be kept informed. With regard to international aid, members asked whether women had the opportunity to participate in decisions on the allocation of development aid.

10. Referring to article 2, members inquired whether it would be possible to reduce customary laws that discriminated against women and to move towards one legal system only.

11. Turning to article 3, they asked whether the Government had provided incentives such as training or other measures for women to work outside the home. As regards Ghanaian national machinery for the advancement of women, members suggested that it be given more power and money in a process of decentralization and inquired about its organization and budget.

12. On article 4, members welcomed the reference in the Ghanaian oral presentation to the introduction on a temporary basis of special measures to accelerate equality between men and women. They noted the ongoing re-examination of all civil codes in order to repeal provisions discriminating against women, and inquired about the time-table for the exercise and the likelihood that any proposed changes would be accepted. Pointing out that such measures were permanent and thus did not fall under article 4, members sought the Government of Ghana's understanding of that article.

13. Under article 5, Committee members expressed concern about the persistence of cruel widowhood rites. They sought more information about such rites, their impact on women and the frequency of their occurrence. They inquired about programmes to eliminate those rites, and asked whether they targeted men also. Members asked about the existence of other rites involving violence against women and asked about customary divorce, customary funeral rites and polygamous marriages. They inquired whether the Government had a medium-term plan to eradicate at least the most harmful customary practices for women and asked whether political leaders had spoken out against such practices.

14. In their additional questions, members inquired about programmes to change stereotyping of women's role and behaviour, and about the success of such programmes. The Committee asked whether NGOs and women themselves in Ghana struggled against those stereotyping, and whether the Convention had been invoked in steps taken to abolish them. Members expressed the wish to learn more about the Government's future plans for law reform and education programmes to promote societal changes on women's rights and status. They also wondered if there was a way to reconcile the de jure rights with the actual social situation of the women. Members asked how it was possible that, even in the societal communities where matriarchal principles prevailed, the situation of women was still so precarious.

15. Turning to article 6, the Committee asked about research on the root causes of prostitution in Ghana. A query was raised about the number of women practising prostitution, about the existence of legislative protective provisions on that matter, and whether women prostitutes had access to prophylactic methods and information. Members of the Committee also asked whether new actions had been taken since the 1980 national consultation on prostitution and inquired in particular about programmes for the economic reintegration of prostitutes. In relation to general recommendation 15,

members asked if Ghana had implemented programmes to prevent the spread of HIV/AIDS among prostitutes and to assist those who were HIV/AIDS infected. They asked about any practicial measure taken to deal with young women sent into prostitution to foreign countries, and sought information about the legislation against trafficking of young women and its effectiveness.

16. In relation to article 7, members asked if there were any plans or discussions about affirmative actions to increase the representation of women in politics. They also asked whether there was any governmental activity aiming, through educational programmes, at promoting changes in attitudes to encourage women's participation in economic and social planning. Members asked if NGOs played a role in promoting and educating women, and in giving political support for women's participation in politics. They inquired whether the percentage of women judges and magistrates had increased since 1984.

17. Concerning article 9, members sought clarification on laws determining the nationality of children.

18. With regard to article 10, they queried the reasons for the small use of family planning by Ghanaian women, and the respective roles of cultural patterns, economic necessity and low coverage of family planning services and education. Members asked what efforts had been undertaken in the area of school and community education on family planning.

19. Stressing the importance of literacy, members inquired about programmes carried out by the National Council of Women in Development to overcome shortages of books. A query was raised about the increase in the absolute number of females aged 6 and above who had never attended school. Members expressed the wish to know whether education was free at all levels. They wished more recent statistics on the number of child-care centres, as well as on their financial costs and asked whether the Government had considered lower cost alternative arrangements for child care.

20. Turning to article 11, members asked in which activities self-employed women were engaged. While the number of female employees was still low, they felt that a law guaranteeing equal opportunity at work for placement, promotion, retirement and working conditions would be useful. They also asked whether Ghanaian legislation for equal pay referred to "equal pay for work of equal value" or to "equal pay for equal work". With reference to general recommendation 17, they asked whether or not the Government had collected data on unremunerated domestic activities.

21. In relation to article 12, members inquired about information campaigns on the spread of the AIDS/HIV infection, sexual education at schools, promotion of preventive measures such as safe sex, programmes to train traditional midwives, and family planning education targeting men. Female genital mutilation was discussed and members asked whether there had been information programmes about the particular danger for women, as well as programmes to combat or at least reduce female genital mutilation. They also

wanted to know what the implications of reduced access to the health system in the context of economic difficulties had been for women and children. A query was raised about the percentage of female doctors.

22. In commenting on article 15, members asked about the number of single women and expressed the wish to know whether or not those women could find a job to support an independent life. Noting the coexistence of different types of laws, they requested more information on the number of women living under the different systems of legislation, and on the implication of traditional laws for the status of women. A query was raised about the possibilities of moving from one type of marriage to another and the right of women to choose which type of marriage they wished. Members also asked how the Government intended to deal with customary law in the long run, whether that could be done within one generation and whether the Government intended to give a priority to education. They also wondered whether changes in the status of women and children under customary law would be welcome. The initiative of Ghana to pass a law dealing with certain problems of women under customary marriage, in particular intestate succession and widowhood practices, was welcomed. Some members asked whether legislation had been passed to deal with wife-beating and questions were asked related to problems of maintenance and property rights of children under customary law.

23. In relation to enjoyment and disposition of property in article 16, members referred to succession patterns, and noted that new intestate succession laws did not seem to be observed. They wondered if all women, especially the younger generations, accepted customary limitations on a wife's right to her husband's property. They also asked for clarification about the reference made to "maternal inheritance to stool" in paragraph 57 of the report.